

Bill No. 14-03  
Concerning: Police - Takoma Park  
Substation - Rebate  
Revised: 4-25-03 Draft No. 2  
Introduced: April 29, 2003  
Enacted: June 17, 2003  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Council President at the request of the County Executive

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**AN ACT** to:

- (1) adjust the tax rate used to calculate a certain payment to the City of Takoma Park for providing police protection;
- (2) repeal certain obsolete provisions of law relating to County police services in Takoma Park; and
- (3) update language, make stylistic changes, and generally amend the law regarding County police services in Takoma Park.

By amending

Montgomery County Code  
Chapter 35, Police  
Section 35-5

By repealing

Chapter 35, Police  
Section 35-6

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

**Sec. 1. Section 35-5 is amended and Section 35-6 is repealed as follows:**

**35-5. [Same-] Takoma Park [substation-Generally] Rebate.**

(a) If the County and the City of Takoma Park agree that the substation [now] located in the City [of Takoma Park] is [ordered] abolished, [and] the County [ceases to] does not provide police protection [within] in the [limits of such] City, and [such] the City [undertakes to provide and does provide] provides its own citywide police protection [throughout its entire corporate limits], the Director of Finance [of the county shall] must, during each fiscal year that [such arrangement is maintained and continued] this agreement is in effect, pay to the City treasurer [of the City of Takoma Park], in quarterly installments, that portion of the [proceeds of] revenue from the County tax levied on each [one hundred dollars (\$100.00)] \$100 of [the] assessable:

- (1) [real and] personal property [within the corporate limits of] in the City [of Takoma Park in the county] which is [yielded] produced by [twelve] 12 cents [(\$0.12)] of the tax rate levied on [such] personal property; and
- (2) real property in the City which is produced by 4.8 cents of the tax rate levied on real property.

(b) [provided, that if such arrangement is established, or subsequently disestablished,] If any agreement referred to in subsection (a) is terminated or modified after [the commencement of] a fiscal year begins, the amount [to be] paid [hereunder shall] under it must be prorated according to the number of days in [such] that fiscal year that [such arrangement is or] the agreement has been [maintained and continued;] in effect.

(c) [and, provided further, that nothing] Nothing in this Section [shall be construed so as to impair] limits the jurisdiction of the County police [within the corporate limits of] in the City of Takoma Park [in the county].

**[35-6. Same-Same-Abolished.] Reserved**

[The substation of the Montgomery County Police located at 500 Maple Avenue, Takoma Park, Maryland, is hereby abolished.

The director of finance of the county shall, during each fiscal year that the substation shall remain abolished and the county ceases to provide police protection within the City of Takoma Park and such city undertakes to provide and does provide its own police protection throughout its entire corporate limits, pay to the treasurer of the City of Takoma Park, in quarterly installments, that portion of the proceeds of the county tax levied on each one hundred dollars (\$100.00) of the assessable real and personal property within the corporate limits of the city in the county, which is yielded by twelve cents (\$0.12) of the tax rate levied on such property.]

*Approved:*

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Michael L. Subin, President, County Council

Date

*Approved:*

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Douglas M. Duncan, County Executive

Date

*This is a correct copy of Council action.*

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Mary A. Edgar, CMC, Clerk of the Council

Date